

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

UNITED STATES OF AMERICA,)
)
)
Plaintiff,)
)
)
v.) No. 1:19-cr-00388-JPH-DLP
)
)
HENRY JONES,) -01
)
)
Defendant.)

Order Denying Motion for Time Credit and Transfer to a Medical Facility

Defendant Henry Jones filed a motion stating that he is entitled to a 120-day time credit and seeking transfer to a medical facility. For the reasons explained below, the motion, dkt. [46], is **denied** because the Court does not have the authority to grant the requested relief.

"After a district court sentences a federal offender, the Attorney General, acting through the Bureau of Prisons, has the responsibility for administering the sentence." *United States v. Wilson*, 503 U.S. 329, 335 (1992). A challenge to the sentence computation, if made at all, could be asserted through an action for a writ of habeas corpus brought pursuant to 28 U.S.C. § 2241(c)(3) naming the defendant's custodian as respondent and filed after administrative remedies have been exhausted. Such an action could only properly be brought in the district of the defendant's confinement.

Similarly, the authority to place a prisoner at a particular prison rests with the Bureau of Prisons. 18 U.S.C. § 3621(b). Mr. Jones is correct that the Court recommended that the Bureau of Prisons place him at a medical facility, but this was only a recommendation. See dkt. 42 at p. 2.

For these reasons, the motion for time credit and transfer to a medical facility, dkt. [46],
is denied.

SO ORDERED.

Date: 5/11/2021

James Patrick Hanlon

James Patrick Hanlon
United States District Judge
Southern District of Indiana

Distribution:

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